



PAU 1615/14

## PATENT

Case Docket No. ALLIA.171CPC1

Date: December 23, 1999

Page 1

In re application of : Schutt, et al.  
App. No. : 09/218,213  
Filed : December 22, 1998  
For : STABILIZED PREPARATIONS  
FOR USE IN NEBULIZERS  
Examiner : R. Bawa  
Art Unit : 1615

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

December 23, 1999

(Date)

James J. Mullen III, Ph.D., Reg. No. 44,957

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RECEIVED

Sir:

Transmitted herewith is an Amendment and Response to Restriction Requirement in the above-identified application.

JAN 05 2000

TECH CENTER 1600/2900

- (X) An extension of time to respond for 3 months is hereby requested.  
Time Extension Fee: three months (\$435 small entity)

The fee has been calculated as shown below:

CLAIMS AS FILED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	50	—	50	= 0 ×	\$9	= \$0
Independent Claims	5	—	5	= 0 ×	\$39	= \$0
If application has been amended to contain multiple dependent claim(s), then add					\$130	= \$0
Time Extension Fee (three months - small entity)						\$435
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$435

- (X) A small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- (X) Return prepaid postcard.
- (X) A check in the amount of \$435.00 is enclosed. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410. A duplicate copy of this sheet is enclosed.

James J. Mullen III, Ph.D.  
Registration No. 44,957  
Attorney of Record

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ALLIA.1710C1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Schutt et al.  
Appl. No. : 09/218,213  
Filed : December 22, 1998  
For : STABILIZED  
PREPARATIONS FOR USE  
IN NEBULIZERS  
Examiner : BAWA, R.

) Group Art Unit 1615

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James J. Mullen III, Ph.D., Reg. No. 44,957

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated June 29, 1999, please consider the following amendments and remarks with respect to the above-captioned application. A petition for a three month extension of time and fee are enclosed herewith.

IN THE SPECIFICATION

Kindly amend the specification as follows:

Please delete the text at page 1, lines 6-10, and add the following text therefor:

--The present application, No. 09/218,213, is a continuation of pending Application No. PCT/US98/20603, filed September 29, 1998, which is a continuation-in-part of Application No. 09/133,848, filed August 14, 1998, now abandoned, which is a continuation-in-part of Application No. 09/106,932, filed June 29, 1998, now abandoned, which claims priority from Provisional Application No. 60/060,337, filed September 29, 1997, now abandoned.--

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